

Application No. 10/705,224  
Response dated May 22, 2008  
to Office Action mailed April 24, 2008

### **REMARKS**

Reconsideration of and timely allowance of the pending claims, in view of the following remarks, are respectfully requested.

This paper is in response to the Examiner's communication dated April 24, 2008, in accordance with MPEP §1214.06. In the communication, the Examiner has requested that dependent claims, rejections of which have been reversed by the Board of Patent Appeals and Interferences ("Board" hereinafter), be rewritten in independent form.

Current disposition of claims is as follows: independent claims 1 and 16 have been cancelled by Examiner's amendment following affirmation of their rejection by the Board. Dependent claims 2, 8, 14 and 15, rejections of which have also been affirmed by the Board, are cancelled by the applicants in the present amendment. Dependent claims 3, 7, 9, and 10, whose rejections have been reversed by the Board, have been rewritten in independent form by inclusion of all elements and limitations of rejected and cancelled independent claim 1. Dependent claims 4-6 have not been amended, as they depend (and have always depended) from as-amended, now independent, claim 3, and possibly additional intervening allowed dependent claims. For similar reasons, dependent claims 11-13 have not been amended (please note that claims 11-13 are multiple dependent claims, depending from either claim 9 or 10). Allowable claim 17 has not been amended. The applicants respectfully submit that the scope of the presently amended claim set is identical with the scope of claims allowed by the Decision of the Board dated January 18, 2008. Furthermore, the applicants believe that no new matter and no new issues are being introduced by the present amendment.

Consequently, in view of the present amendment and abovementioned remarks, no further issues are believed to be outstanding in the present application and the present application is believed to be in condition for formal allowance. An early and favorable action to that effect is therefore respectfully requested.

Prior to entering the Appeal process, the application had three independent claims, 1, 16, and 17, fees for which have been paid in prior prosecution, as well as fees for multiple dependent

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claims. After the present amendment, the application has five (5) independent claims, 3, 7, 9, 10, and 17. Therefore, the applicants are of the belief that additional two (2) independent claim fees under 37 C.F.R. §1.16(h) are due with this proceeding, payment of which is included with this submission.

Please charge our Deposit Account No. 50-3451 for any additional fee(s) that may be due in this matter, and please credit the same deposit account for any overpayment.

Should the Examiner have any questions or deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact the undersigned representative at the below listed telephone number.

Respectfully submitted,

TOKYO ELECTRON U.S. HOLDINGS, INC.

By:           /Eric J. Strang/            
Eric J. Strang, Reg. No. 54,472

4350 W. Chandler Blvd, Suite 10  
Chandler, AZ 85226  
(480) 539-2109 (voice)  
(480) 539-2100 (facsimile)